

REMARKS

An Information Disclosure Statement is enclosed herewith.

In the Office Action dated May 31, 2005, claims 3, 9-11, 18-22, and 24 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,515,974 (Inoue); and claims 4-6, 13-15, 23, 25, and 26 were rejected under § 103 over Inoue in view of U.S. Patent No. 6,731,617 (Mizell).

Applicant acknowledges the allowance of claims 7 and 8 and the indication that claims 12, 16, 17, and 20 contain allowable subject matter.

COMMON OWNERSHIP OF PRESENT APPLICATION AND MIZELL

The present application and Mizell were, at the time the present invention was made, owned by or subject to an obligation of assignment to the same person (Nortel).

Therefore, Mizell is disqualified as prior art under 35 U.S.C. § 103(c).

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

In view of the disqualification of Mizell as prior art under § 103(c), withdrawal of the § 103 rejections of the claims over Inoue and Mizell is respectfully requested. Independent claims 4, 5, and 25 are therefore in condition for allowance.

It is respectfully submitted that independent claim 10 is allowable over Inoue. Claim 10 recites the translation of a private network address in the header portion and in the *payload portion* of a packet to a public network address. Inoue does not teach translation of a private network address in a payload portion of a packet to a public network address. Inoue describes conventional network address translation in which the source and destination addresses in a *header* portion of a packet are translated. *See* Inoue, 9:51-57 (packet relay device 4 of Figs. 3 and 19 has a NAT function for translating source and destination address); Inoue, 1:32-33 (IP address written in packet header). The translation of source and destination addresses in Inoue refers to translation of source and destination address in the packet header. In fact, Inoue makes absolutely no mention of any address provided in the payload portion of a packet – clearly, Inoue cannot teach translation of an address in the packet payload.

The encapsulation and transfer unit 53 (referenced in the Office Action) in the home agent (Fig. 19) encapsulates data into a packet by adding source and destination address to the packet header. *See, e.g.*, RFC 791 and RFC 2460 (Internet Protocol standards), attached hereto in an Information Disclosure Statement.

Therefore, claim 10 is not anticipated by Inoue. Independent claims 3 and 18 are allowable for reasons similar to those of claim 10.

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Dependent claims, including newly added dependent claims 27 and 28, are allowable for at least the same reasons as corresponding independent claims. In view of the foregoing, all claims are now in condition for allowance, which action is requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0090US).

Respectfully submitted,

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